

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

Case No. 08-CR-30054-MJR

JASON P. WYATT and RENE)

BELTRAN-SEDAVIA,)

Defendants.)

ORDER

REAGAN, District Judge:

On May 30, 2008, the Government filed a motion to sever the trials of Defendants, Jason P. Wyatt and Rene Beltran-Sedavia (Doc. 14). On June 4, 2008, Wyatt filed his response, stating that he does not object to the motion to sever (Doc. 15).

Wyatt and Beltran-Sedavia are charged with conspiracy and with possession with intent to distribute marijuana and cocaine. Wyatt is also charged with an additional count of intent to distribute marijuana. On May 1, 2008, Wyatt entered a not guilty plea in this matter, and a jury trial was set for June 30, 2008. The Government states that Beltran-Sedavia is a fugitive and that the United States Marshals Service does not anticipate bringing Beltran-Sedavia to justice in the foreseeable future. Given the fugitive status of Beltran-Sedavia, the Court finds that a failure to sever in this case would prejudice Wyatt by interfering with his right to a speedy trial as set forth in the Speedy Trial Act of 1974, 18 U.S.C. §§ 3161-3174.

Accordingly, finding that good cause has been shown and that a joint trial would be unfairly prejudicial to Wyatt, the Court **GRANTS** the Government's Motion to Sever Defendants (Doc. 14) and permits Wyatt to proceed to a separate trial.

IT IS SO ORDERED.

DATED this 5th day of June, 2008

**s/Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge**